

HAMILTON COUNTY SOLID WASTE BOARD  
APRIL 28, 2003

President Altman called the April 28, 2003 Hamilton County Solid Waste Board to order. A quorum was declared present.

**Approval of Minutes:**

Steve Dillinger motioned to approve the minutes of March 24, 2003. Dan Henke seconded. Motion carried unanimously.

**Public Comments (11:59:43)**

**Household Hazardous Waste Funding:**

Judy Levine, representing County Council, reminded the Solid Waste Board that the Hamilton County Council has scheduled a special meeting this evening at 7:00 pm to approve whatever increment is decided today. We are in very short supply of funding next year for a lot of things. As Kathy Richardson reminded her, the State of Indiana hears about Home Rule and occasionally they give that to us. They gave you the ability to establish this Board so you could encourage recycling and open a Solid Waste facility and fund it and run it. Judy is hoping you will think about the agreement we signed, the Council paid to refurbish the hangar, we paid to operate it for almost two years with the understanding you would take over the funding and operating of this facility in 2004. It is important to our environment, to our sewers, to our water. Judy agreed with the Board, that we tried to get this thing open for a long time and Christine and she worked very hard to get it opened. Judy appealed to the Board to do the right thing, this is your facility, it is not a County Council function. Please do the right thing today, you have all the way up to the maximum, you do not have to fund it to the maximum but please fund it. You agreed to fund it and that is what we expect you to do.

Steve Dillinger stated he understands the Council passed a resolution to not accept the COIT match, why did you do that? Judy stated because our COIT is in such short supply. Dillinger stated COIT is what it is, if we were to pass this tax, from what he understands, would create more COIT coming back to the County. With your resolution that blocked that. Judy stated she is not the one that drafted it. Judy agrees with the majority of Council that it is not appropriate to take it from COIT. You are supposed to fund it. The Solid Waste Board has that responsibility, under statute in Indiana code. Dillinger asked what does that have to do with passing that resolution? Judy stated she has no further comment on that. Judy stated she can not answer that any further. There was a consensus of Council that it was not to be funded out of COIT, there is not enough COIT until we get things resolved with the State. Dillinger stated all it is a redistribution of the COIT, who gets it? Judy stated it is irrelevant, we had an agreement with you. Dillinger stated it has nothing to do with the agreement. Judy stated she was not aware that this could be something other than property tax.

(12:03:41) Altman asked Robin Mills when the determination of the inclusion of the COIT district need to be made? Robin stated May 1st. Altman asked if the determination is May 1st, could it be rescinded and resolved otherwise? Mike Howard stated that would be a State Tax Board question. The determination made by the Council at the last meeting not to allow COIT to match property tax, if property tax was used? Robin confirmed yes. Mike stated he does not know if it can be rescinded. Dillinger asked how many dollars that would have been? Robin stated she does not know. Mike

stated it is generally dollar for dollar. Dillinger stated he would like to know why we would exclude that if we are in such need of money? Mike stated last month the COIT issue was brought up, generally if you increase property taxes and it has been running in Reuter's formula that if you go outside the levy and increase \$1.00 you get a \$1.00 extra. Obviously with COIT going down in the big pie, that COIT would not come from the County's unit COIT, but from the macro county COIT. If this Board would vote and Council would vote to do the property tax, then if those formulas remain the same and the budget was \$500,000 the amount funded by property tax would only be a portion of that. Judy stated as long as it does not come out of our general funds. We had a \$8 million shortfall from this year's budget out of COIT. We are going to have a huge amount to eliminate from this upcoming budget session. Until we resolve things from the State, the State has given you, like the libraries, a way to fund this very good and necessary function and she wishes you would do it that way and Council feels that way. (12:06:19) Altman asked if at the Council's special meeting, if we did enact our resolution to request a tax levy from property taxes would you bring up and recommend that COIT be included to help offset that tax rate? Judy stated sure. Altman stated to rescind the previous resolution?

(12:07:05) Jim Belden stated we have talked and talked, he serves on the Finance Committee and we are trying to find a way to maintain the wonderful things we have in this county and then they take \$20 million away. You have pinched and taken everything you possibly can out of COIT and all of sudden you say you are going to do this. You are talking about a nightmare on how to refund those who have decided to take it upon their own, like Carmel, as far as Solid Waste is concerned. Mike stated the question is whether or not the Council would be inclined to rescind the action from their last meeting, wherein they said they were not going to allow COIT to match property taxes. Jim stated our financial advisor and your wisdom say that is the financially proper way to go, but he does not understand it completely. Mike asked what percentage of the total COIT pie, does the county get? Altman stated between 40-45%. Altman stated what we are talking about is minuscule. When we are talking about enacting a property tax to make sure this stuff does not go into our ground water, we are talking very low dollars. We are talking \$4 per household on a modest house and \$10 per house on a \$250,000 house. That is with a very high budget, with repaying everything that was borrowed. Judy stated that is at the maximum, you don't have to take it to the maximum. Altman stated it would be up to this Board to determine what it would take to operate that facility. In talking to the Health Board we are looking at easily reducing that budget to half. Now we are talking about charging people \$2.00 or \$5.00 per year to get rid of their paints, etc., which given the service is very low. Now if we introduce COIT, we have effected another huge tax savings, now we are talking dollar for dollar. It is not going to be a huge impact on the rest of the COIT entities. It is not particularly fair given that everyone is pinched right now, but it is not significant. It will be significant if we go to Fishers and they say they don't have the money to participate or Noblesville does not have the money to participate or the County doesn't because we have not found a fixed source to keep this thing open. That is what we negotiated last year and that is what everybody agreed to do. If the Council would reconsider the COIT position, perhaps it would be easier for some of these people on the Board to vote to request a levy.

(12:11:06) Kent Ward, Hamilton County Surveyor, stated it is a shame that this has come to this point. It is obviously a program that is very successful. Many of the people in the county do use it. It is keeping the waste out of the groundwater and also out of the streams. It is going to be a very important component to the wellhead program and for Phase II, Stormwater Rights. It was in the feasibility study as a very important component that was outlined by Goode & Assoc. \$4.00 per household is very insignificant when you consider your total property tax bill. Kent urged the Board to fund this program whatever it needs to keep it in operation. He has used it personally three times this year. One time he took something that was thrown in the road in front of one of his property, Steve Wood told him it was asphalt sealer. He would have put it in the trash to be put in the dump. We used to pour it in the fence line. That type of activity has to stop. We need to protect our groundwater. He supports what Barry and Steve are doing, in what is obviously a very successful program.

(12:13:43) Garrick Mallery, President Hamilton County Board of Health. Garrick stated this has been a concern to him the last 7-8 years, when the Solid Waste Board was set up as a separate entity and was assigned to the Hamilton County Board of Health. There was not any problem until the Household Hazardous Waste Disposal Site was established. He told Barry that we want to watch out, we think we run a tight budget, we may need something and someone will say look at all the money we have been giving you the last couple of years. Barry and I agree that we are in a quandary, we have this established, it is running as a good program. Something has to be done. If it comes to a screeching halt, the Health Board does not want to be blamed for it. We want to straighten it out one way or other so we know what is going on.

(12:15:55) Judy requested they consider a property tax levy up to \$350,000 with Council to reconsider the COIT property tax match this evening. Mike stated that would fund the budget, depending on the COIT match of \$500,000 to \$600,000. Then it is just prioritization after that.

(12:16:18) Jim asked how does that affect the various entities that get distribution from COIT? Mike stated if COIT match generates \$250,000 then everybody that receives COIT will get a small reduction. Somebody else will get a piece of the pie, which will be the Solid Waste Board. If the County gets 40% of the COIT, they would lose \$100,000. If the City of Carmel gets 25% of the COIT, they would lose that proportion. It would spread out just as the property tax distribution does. Dillinger stated that is no different when we create indebtedness outside the levy, which effects the distribution of the COIT money. Mike stated like the libraries. Jim stated why should we impose on all the entities when this is our responsibility as a Board and we can create a levy that is minimal and we don't have to go to COIT. Dillinger stated that is creating the levy, we would be doing both. It is a compromise. (12:18:45) Altman stated it would be an easier pill to swallow if this Board sees part of it funded under the COIT distribution. That is why she offered it as a potential compromise to make sure that we have a consistent source of funding that we should have had before we instituted it and she thought we had by agreement. We need to represent to the people of Hamilton County that they will have a place to dispose of their household hazardous waste and protect their well water and their water supply. Jim asked how do you refund Carmel? Altman stated she would hope we would budget enough to treat them, by population, just as we did with EMS. It would be the same formula. We could easily accomplish it,

depending on what the budget is set at. (12:20:22) We might as well as deal with the issue. **As you recall she had asked the Council attorney to draft a resolution that would allow or grant permission from Council to allow this Board to enact a property tax levy to assure funding. It is a contractual commitment that this Board made last year, that the County Commissioners signed, that the Health Board signed and the Council signed. That action was tabled by motion of Mr. Holt and she would request a motion to remove it from the table. (12:20:50) Jim Belden so moved. Steve Dillinger seconded.** Dillinger stated one of the issues he struggles with is why this has become such a difficult thing to fund, everything has priorities. We agreed to buy an airport for millions of dollars. Judy stated this will be revenue neutral.

Dillinger stated that is debatable. Humane Society, all of these things are important, he is not questioning that. Where does this fall in our priority? Judy stated animal control is our responsibility. Dillinger stated animal control is, humane isn't. Discussion followed. (12:25:21) Altman stated we negotiated this last year. People took certain actions. That gentleman gave up a solid job at the county and moved over based upon a contractual commitment of this Board to seek permission for a property tax levy. That priority was established last year when that contract was negotiated and entered into. That is what is so frustrating at this point, now everyone has second guessed it and would rather renege on their agreement than levy a tax that they fully negotiated. What good is a contract from this body, the County Commissioners, the Council if it is subject from year to year to debate after you have negotiated it and people have acted on good faith? Jim stated the State mandated Solid Waste to be handled by the counties in the State because it is an environmental issue. It is a health and safety issue that needs to be handled now, back then and in the future. There is no question about it. He is an elected official from the general population of this community. Would I vote for a small levy of \$4.00 or \$10.00 at the most, out of his pocket for environmental and health and safety issue for the citizens of this county, the answer is yes. This is something that he can not put his head in the sand about. He knows this Board can make sure this program is successful.

(12:28:35) Dillinger stated the question is not whether it is important, we all think it is important or we would not be here. The debate is how it is funded. Judy stated we were failing with a failing dispatch system for E911, we stepped up to the plate with an \$.80 tax per phone line so we can have good reliable, state of the art emergency response system. It was the right thing to do, she did not think twice about voting for that. It is your responsibility to either open these places or not and to fund it. The employees are your employees. She is asking to do the right thing, fund it and take it over. It is not ours. It does not fall under the county council's responsibility. We loaned you the money in good faith to get it started. In good faith, if you signed that agreement you ought to vote for it, just because your word does not mean anything if you don't.

(12:30:08) **Altman asked for a roll call vote: Redick - yes; Belden - yes; Dillinger - yes; Holt - no; Altman - yes; Henke - no; George - no. Motion carries 4-3.**

(12:30:38) **Altman stated we had the discussion of whether the Council would consider the COIT issue, we should have a separate resolution of that matter if it is this body's desire to be included in the COIT distribution and ask Council to reconsider that. Is there a motion for the same? Dillinger so moved. Holt seconded.** Jim asked if this will come in front of Council tonight? Altman stated yes. Jim asked if it has to be done tonight? Altman stated correct, if the deadline is May 1st.

Jim asked Mike if this is a positive move? Mike stated that is a policy issue. Mike stated at the last council meeting the Council said that if Solid Waste passes this tax, we are going to treat it differently than every other property tax received in every unit of this county. All you are doing now is saying you are going to rescind it and we are going to treat it the same. Altman stated the actual tax affect to the COIT entities, which were included in the townships, cities, etc. will be negligible. At most you are changing in the resolution on COIT would draw between \$200,000 to \$300,000 out of the COIT pool. Dillinger stated his change in vote was based on what he heard the three of you saying you would be willing to do. We are not taking anything from anyone. We are not taking something we are not entitled to. Dillinger stated he thought it was a fair compromise.

**Redick, Belden, Dillinger, Holt, Altman and George approved. Henke opposed.**

**Motion carries 6-1.**

**(12:33:24) Bid Award**

**Household Hazardous Waste Disposal:**

Barry asked how the Board would like to proceed with the bid award. They have reviewed the bids and direction was given that we would accept all the bids. Barry's concern is that if we have more than one contractor does that influence on how we do our business? Does it lock us in to using particular people or do we need to select one vendor? Mike Howard stated under the code you can accept all bids, but we are not guaranteeing them that they will be the sole vendor. Barry stated to evaluate a total contract bid we took a typical two week shipment and took one item from each of those and compared those 30 items as to what our shipping price would be. There is always one particular item that one vendor is less than another and if all bids were accepted, does this mean we are dealing with four vendors or looking at using one vendor? Mike suggested accepting all bids and allowing you, at your discretion, to dispose based on lowest bidder per item basis. Barry stated one vendor may have an extremely low cost on one item, but they may not want to come pick up one or two items. Their business is based on getting a full truck. Holt stated we will not be able to sort that out on an award basis. The easiest way is for us to accept all bids and then Steve (Wood) can talk to them and figure out what gets us the biggest bang for the buck. **Steve Holt motioned to accept all bids. Jim Belden seconded. Motion carried unanimously.**

**(12:37:53) Altman stated the County Attorney has requested clarification of the record to have a positive resolution to request formally Council to allow the levy of tax for the Household Hazardous Waste program. Dillinger motioned to approve. Dillinger thought we did that. Mike stated you took it off the table and then you instructed the Council to match COIT, but he did not hear anything that you moved to approve. Belden seconded. Altman stated the permission is merely to establish a levy, this body will establish the levy at budget time. Motion carried unanimously.**

**HHW Update: (12:38:47)**

Barry stated we did receive an additional HHW Grant from IDEM in the amount of \$60,000. We will receive \$45,000 and then \$15,000 on a reimbursement basis. It will take 10-12 weeks to receive the funds.

Barry introduced Dave Krentler, who is working under the PEP Grant, an education grant received from IDEM. Mr. Krentler is making presenting to churches

right now, he will be providing information at the county fair. He is available to meet with civic and community groups to provide education on household hazardous waste.

Barry stated participation rates for this March and April are more than we did last year.

(12:42:19) Holt motioned to adjourn. Dillinger seconded. Motion carried unanimously.

**Present:**

Christine Altman

Steve Dillinger

Steve Holt

Jim Belden

Dennis Redick

Daniel Henke

David George

Mike Howard

Robin M. Mills

Barry McNulty

Steve Wood

Dave Krentler

Judy Levine

John Hiatt

Garrick Mallery

Diana Lamirand

Dawn Coverdale

Kim Rauch

Kent Ward

Scott Warner